

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

STUDENTS FOR FAIR ADMISSIONS, INC.,

Plaintiff,

v.

Civil Action No. 1:14-cv-14176-ADB

PRESIDENT AND FELLOWS OF  
HARVARD COLLEGE (HARVARD  
CORPORATION),

Defendant.

**DECLARATION OF PETER ARCIDIACONO**

I, Peter Arcidiacono, pursuant to 28 U.S.C. § 1746, declare the following:

1. I make this declaration at the request of counsel for Plaintiff Students for Fair Admissions, Inc. (“SFFA”), and if called upon to testify as to the contents of this declaration would testify competently thereto.

***My Reports***

2. Attached as Exhibit A to this declaration is a true and correct copy of my expert report signed October 16, 2017 and served on Harvard on the same day.

3. I have personal knowledge of the contents of the expert report attached as Exhibit A.

4. I hereby verify that the contents of my expert report attached as Exhibit A are true and accurate.

5. Attached as Exhibit B to this declaration is a true and correct copy of my rebuttal expert report signed January 29, 2018 and served on Harvard on the same day.

6. I have personal knowledge of the contents of the rebuttal expert report attached as Exhibit B.

7. I hereby verify that the contents of my rebuttal expert report attached as Exhibit B are true and accurate, subject to the attached errata.

8. Attached as Exhibit C to this declaration is a true and correct copy of the errata to my rebuttal expert report signed on April 6, 2018 and served on Harvard on the same day.

9. I have personal knowledge of the contents of the errata to my rebuttal expert report attached as Exhibit C.

10. I hereby verify that the contents of the errata to my rebuttal expert report attached as Exhibit C are true and accurate.

***Likely Letters***

11. The Admissions Office uses “likely letters” as a recruiting tool to encourage certain candidates to attend Harvard. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12. The following table reflects a count of non-athlete applicants receiving a “likely letter,” taken from domestic applicants in the raw data produced by Harvard.



*Utah Applicants*

13. The data produced by Harvard reveals that, in the Spring of 2014, Harvard admitted [REDACTED] students from Utah into the Class of 2018; only [REDACTED] were Asian-American applicants.

*Stuyvesant Case Study*

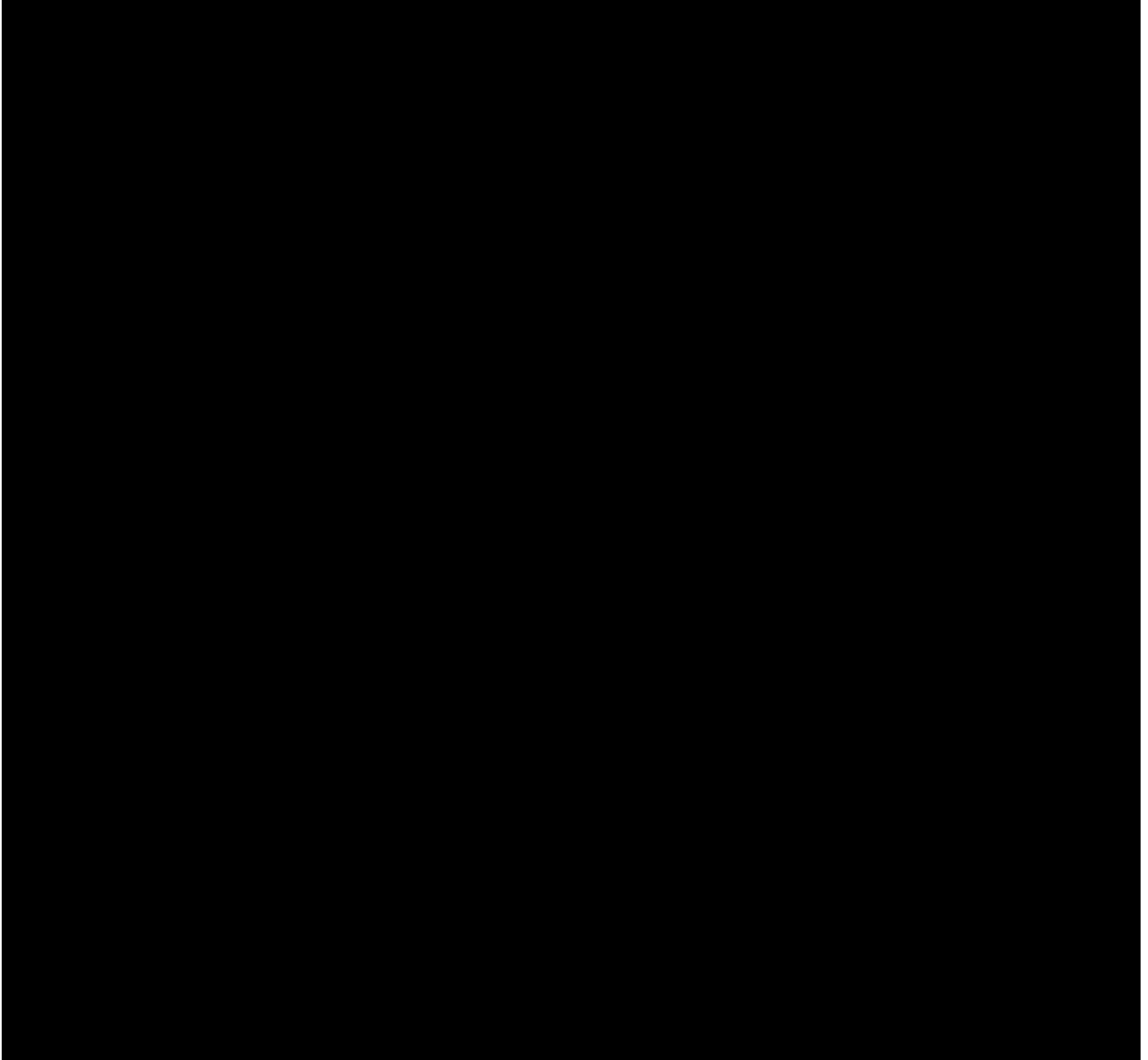
14. In advance of the deposition of Casey Pedrick, counsel for SFFA asked me to pull data on the number of applicants and admits from Stuyvesant. The data shown in Table 2 displays the data I gave to counsel for SFFA in advance of the Pedrick deposition. It reflects an accurate count of Stuyvesant applicants and admits from the raw data set produced by Harvard.

[REDACTED]

[REDACTED]

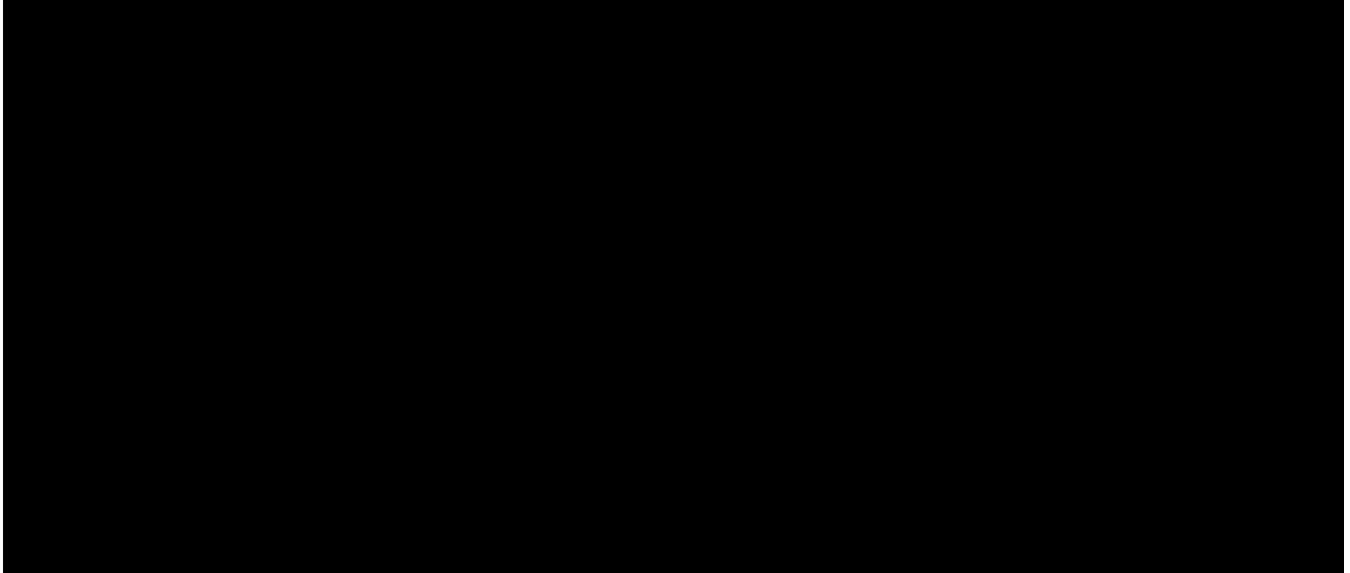
***Non-Racial Preferences***

15. According to data produced by Harvard in this matter, Harvard has admitted the following numbers and shares of domestic applicants and admits by race/ethnicity for various categories of preferences—legacy, Dean’s/Director’s List, Harvard faculty/staff, early action, and the Z-List—from the Class of 2014 through the Class of 2019:



***Disadvantaged & FGC Shares***

16. According to data produced by Harvard in this matter, the number and share of domestic applicants and admits by race/ethnicity for additional factors—being socioeconomically “disadvantaged” and being first generation college—from the Class of 2014 through the Class of 2019 are as follows:



***Applicants with the Highest Academic, Extracurricular, and Personal Ratings***

17. In connection with his examination of race-neutral alternatives, Professor Card created “Card Simulation 4x.” See generally Card Report 106-118. Harvard produced the dataset Professor Card used to create that simulation. Table 5 reflects an accurate count of the number of applicants (by racial/ethnic group) from the sample Card deemed eligible for his simulation who received a 1, 2, 3, 4, or 5 on the academic, extracurricular, and personal ratings.

**Table 5**Academic Rating  
Expanded Sample

| year | Admit | number_of_5 | number_of_4 | number_of_3 | number_of_2 | number_of_1 |
|------|-------|-------------|-------------|-------------|-------------|-------------|
| 2014 | 0     | 758         | 2703        | 8672        | 7215        | 36          |
| 2015 | 0     | 1113        | 3000        | 10053       | 8807        | 39          |
| 2016 | 0     | 1182        | 3006        | 9241        | 8666        | 39          |
| 2017 | 0     | 1044        | 3072        | 8854        | 9119        | 19          |
| 2018 | 0     | 885         | 2729        | 9328        | 9220        | 27          |
| 2019 | 0     | 983         | 3005        | 9484        | 9941        | 40          |
| 2014 | 1     |             | 29          | 492         | 1252        | 81          |
| 2015 | 1     | 1           | 36          | 435         | 1266        | 95          |
| 2016 | 1     |             | 32          | 386         | 1262        | 92          |
| 2017 | 1     | 2           | 27          | 388         | 1254        | 53          |
| 2018 | 1     |             | 19          | 353         | 1242        | 82          |
| 2019 | 1     | 1           | 32          | 375         | 1224        | 47          |

Extracurricular Rating  
Expanded Sample

| year | Admit | number_of_5 | number_of_4 | number_of_3 | number_of_2 | number_of_1 |
|------|-------|-------------|-------------|-------------|-------------|-------------|
| 2014 | 0     | 70          | 1092        | 14189       | 3994        | 39          |
| 2015 | 0     | 164         | 939         | 16776       | 5095        | 38          |
| 2016 | 0     | 198         | 808         | 16755       | 4332        | 41          |
| 2017 | 0     | 147         | 659         | 16814       | 4454        | 34          |
| 2018 | 0     | 137         | 510         | 16545       | 4966        | 31          |
| 2019 | 0     | 184         | 444         | 17748       | 5050        | 27          |
| 2014 | 1     | 3           | 56          | 679         | 1077        | 39          |
| 2015 | 1     | 8           | 48          | 653         | 1083        | 41          |
| 2016 | 1     | 14          | 27          | 703         | 996         | 32          |
| 2017 | 1     | 8           | 18          | 647         | 1006        | 45          |
| 2018 | 1     | 7           | 25          | 666         | 974         | 24          |
| 2019 | 1     | 12          | 13          | 609         | 1011        | 34          |

Personal Rating  
Expanded Sample

| year | Admit | number_of_5 | number_of_4 | number_of_3 | number_of_2 | number_of_1 |
|------|-------|-------------|-------------|-------------|-------------|-------------|
| 2014 | 0     | 2           | 112         | 15884       | 3385        | 1           |
| 2015 | 0     | 8           | 98          | 19121       | 3782        | 3           |
| 2016 | 0     | 3           | 72          | 18516       | 3541        | 2           |
| 2017 | 0     | 2           | 79          | 18845       | 3182        |             |
| 2018 | 0     | 3           | 117         | 17919       | 4145        | 5           |
| 2019 | 0     | 6           | 125         | 19382       | 3938        | 2           |
| 2014 | 1     |             | 1           | 467         | 1385        | 1           |
| 2015 | 1     |             |             | 494         | 1331        | 8           |
| 2016 | 1     |             |             | 490         | 1275        | 7           |
| 2017 | 1     |             |             | 471         | 1253        |             |
| 2018 | 1     |             |             | 438         | 1256        | 2           |
| 2019 | 1     |             |             | 486         | 1187        | 6           |

I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct to the best of my knowledge.

Executed on this day, June 14, 2018.

/s/ Peter Arcidiacono  
Peter Arcidiacono